

**This set of minutes was approved at the May 15, 2006 Town Council meeting.**

**DURHAM TOWN COUNCIL**  
**2006 GOAL SETTING WORK SESSION**  
**MONDAY, APRIL 10, 2006**  
**DURHAM TOWN HALL – COUNCIL CHAMBERS**  
**7:00 PM**

**MEMBERS PRESENT:** Chair Neil Chair Niman; Councilor Carroll; Councilor Peter Smith; Councilor Morong (arrived at 7:04 PM); Councilor Needell; Councilor Van Asselt; Councilor Julian Smith; Councilor Catherine Leach

**MEMBERS ABSENT:** Councilor Henry Smith (due to illness)

**OTHERS PRESENT:** Town Administrator Todd Selig

**I. Call to Order**

Chair Niman called the meeting to order at 7:01 PM and welcomed everyone to the Council's goal setting session. He said he hoped only one session would be needed to reach consensus on the goals to be set by the Council for the year.

He said he had talked briefly that day with Councilor Carroll, Councilor Julian Smith and Administrator Selig about how to proceed with this session. He noted a list of goals had been provided to Councilors that reflected what he had drafted the previous week, and also included suggestions Councilors had provided to Administrative Assistant Jen Berry.

He asked Councilors if there were additional items they would like to add to the list, and said after the list was complete, they could talk about which perhaps could be deleted. He said the Council could then possibly reach consensus on what the priority goals were.

Councilor Julian Smith noted the issue of whether the Town would repair and make improvements to Town Hall, or build a new Town Hall, perhaps in combination with a new library.

Administrator Selig said the Planning Board was currently looking at transportation issues concerning the Downtown corridor.

Councilor Needell noted that there were some issues listed under the work sessions, and said he wanted to be sure they got onto the goal setting list as well.

Councilor Morong arrived at the meeting at 7:04 PM.

Councilor Peter Smith noted he had mentioned two items the previous week, one of them the issue of whether the Council should be removed from being the final authority in making tax assessment decisions, and the other, that the Council needed to make some changes in how the governing body and its administrative officials played their roles in connection with the duties of the ZBA and the matters that came before that Board.

Councilor Van Asselt said Administrator Selig had answered one question the previous week: that the Planning Board would take care of the timber harvesting issue, so the Council didn't have to have it on its list right now.

Administrator Selig said that was correct, and noted that this issue was #3 on the Planning Board's list of provisions of the Zoning Ordinance that needed to be revisited.

Councilor Needell said there were issues where it was expected that the Planning Board would provide input, but that the Council might want to discuss as well. He said timber harvesting was an issue like this.

Councilor Carroll said after talking to Mr. Campbell and Administrator Selig, she was confident that the timber harvesting issue would be taken care of by the Planning Board. But she said it also might come back to the Council, perhaps for discussion during the roundtable portion of a meeting.

Chair Niman said he would add the timber harvesting issue to the to-do list, and would make sure it didn't get lost.

Councilor Morong suggested the idea of possibly changing the size of the Council from nine to seven members, and said this would go under the Operational Efficiency category.

Chair Niman said he would add this to the goals list, and then the Council could decide whether to make it a goal, and if so, where to fit it in.

Councilor Van Asselt suggested that under Revenue Enhancement, there should be a goal dealing with the broader issue of UNH/Town relationships. He provided details on this, and said he really didn't see it expressed in the list of goals.

Chair Niman reviewed the items under the goal "Foster cooperative relationship with UNH based on fair and equitable agreements." He then asked what else should be listed under that goal.

Councilor Van Asselt suggested that this list should include State support for Town services that were needed as a result of the Town being close to UNH. He noted he had asked that data be obtained on this issue, and said it was a much bigger issue that those issues presently on the goals list concerning UNH.

Chair Niman said he would put Councilor Van Asselt's suggested issue on the list.

Councilor Peter Smith said that regarding the larger UNH category, he was looking forward to the Council obtaining more sophisticated data in order to know more clearly the relative costs of Town and University operations. He said this data would help determine if there were other steps that should be taken.

Chair Niman asked if this goal should be separate from what Councilor Van Asselt had described.

There was discussion about this. Councilor Van Asselt said this did not fit under the “Foster a cooperative relationship with UNH goal, because it did not involve negotiations with UNH, and in fact was taking a very different approach to the issue.

Chair Niman said that made a lot of sense. He then described the goals headings he had created, some of them taken from the previous year, some of them, like water, new headings. He asked if Councilors were comfortable with the categories.

Councilor Peter Smith noted the category “Continue with visionary planning for the future and recognize the interrelationship of various issues...”, and said he didn’t think it had been on the list the previous year. He also said he was not sure what it meant, in terms of being a goal with enough explicit meaning to use as a serious Council project.

Chair Niman noted that he had put “Complete land purchases with conservation bond” under the Preserve open space, vistas, and farmland” category, and said Councilor Carroll had added the subcategory “Encourage development of farmland overlay.”

Councilor Peter Smith recommended that the subcategory should say “Pursue land and easement purchases with conservation bond and land change tax funds.”

Councilors agreed this sounded better.

Concerning her recommendation about a farmland overlay, Councilor Carroll said Durham had a relatively small amount of good farmland that hadn’t been used for development. She said this land was very important to the community, to grow food, and to provide food security for the future. She noted that she had used the word “encourage”, because implementation of this goal would be more of a Planning Board activity.

But she said the Council could take some leadership on the issue. She noted that a few decades ago, when it was realized how important wetlands were, overlays began to be developed for them. She said in a similar way, it was important to acknowledge the importance of protecting farmland, and to make sure that it was still available for the future.

Councilor Peter Smith asked what the Council would actually do with respect to this goal, other than to vote in favor of a resolution supporting it. He asked if it was simply a request to the Planning Board to take certain actions.

Councilor Carroll said the Council could ask the Planning Board to look into this issue. She also said education of Council members on strategies to preserve farmland, including how an overlay was developed, was important. She said the Council might need to get more information from people with particular expertise in this area, and said depending on what was provided, the Council could take certain actions.

She noted that farmland preservation was one of the criteria considered when preserving open space in Durham, so the Town was already doing something on this issue.

Councilor Peter Smith said the Council would need to investigate the steps that should be taken to support this underlying goal, and needed some self-education first. He said this made a lot of sense, but said the wording of the goal might need to be changed slightly. He provided some draft language on this.

Councilor Needell noted that the Master Plan made no mention of a farmland overlay, but did mention other things concerning farmland. He asked if implementing those things that had not yet been implemented should perhaps be the starting point on this issue, or if the Council was looking to expand on what was in the Master Plan.

He also asked what the process was for creating an overlay, who had the authority to do this, and what having the overlay would mean.

Councilor Carroll said Strafford Regional Planning Commission had done work in this area. She also said there were some good maps and other data available.

Councilor Needell asked if there were any RSA's governing what overlays a town could develop, and there was discussion about this.

Administrator Selig said this would need to be researched further. He suggested that the Planning Board would be the right forum to work through this, but noted they would have to juggle this with other issues they were currently working on.

Councilor Carroll suggested that self-education of Councilors on this issue could begin now. She also said that as the Planning Board finished going through the Master Plan and prioritized issues, she hoped farmland would be considered an important issue.

Councilor Van Asselt said for all of the goals, he would like to see action goals and program goals established. He said the first were shorter term goals, while the latter were longer term.

Chair Niman asked if other Councilors agreed with this strategy.

Councilor Leach said they could also indicate what entity would move a particular goal forward first.

Councilor Needell said it was a good idea to identify these two types of goals, noting that the program goals were more open-ended.

Councilor Carroll said Councilor Peter Smith's goal statement on farmland was well constructed, and asked him to state it again.

Councilor Smith said the overall goal was to take steps that would have the effect of conserving and preserving farmland. He said he wasn't sure that the dire nature of the issue should be stated. He said in terms of implementing the goal, the Council needed to learn more about the means by which the Town could encourage the preservation of farmland, and said it could then be defined what specific regulatory or other changes should be made.

He said the next step after that would be to encourage the Council and/or the Planning Board or other bodies to take the actions necessary to implement the policy. He said only some of these actions would be within the realm of the Council, and said he suspected the Planning Board would have to be fairly deeply involved in the process.

He noted that the Planning Board had its own statutory authority, so the Council couldn't just decide what it wanted the Planning Board to do. He provided additional details on this.

Chair Niman noted that preserving farmland didn't necessarily mean that the land was preserved by farmers, and discussed the economics of farming at the present time. But he said this was at least a goal that was worth pursuing.

He said the Council would follow Councilor Van Asselt's suggestion of having action goals and program goals.

Under the main goal of "Maintain the integrity of our neighborhoods, Chair Niman said he had added the sub-goal " "Develop new locations for student housing".

He noted a paper he had received from former Councilor John Kraus that spoke about the University of Delaware and its host community, and described a situation that was similar to the situation in Durham. Chair Niman said the problems were pretty universal, and said the report indicated that a strategy to address it was to develop student housing outside of neighborhoods. He said a finding of the study was that students wanted certain amenities with their housing, and when these were provided, they actually fled their old neighborhoods.

He said this might tie in with the workforce housing issue. He said his thought was that if some student housing was moved to the periphery of Town, this would provide rental housing in the core of Town for faculty and staff who would like to live in the Town. He said this would result in taking back the neighborhoods from the students, while preserving affordable housing within the Town core.

Councilor Needell said he agreed that these things were worth discussing, but said a question was how this kind of housing could actually be accomplished.

Chair Niman said perhaps all that was necessary was to put a welcome sign out to potential developers. He also said that perhaps this could be addressed as part of the sub-goal under Revenue Enhancement, "Develop partnerships to make necessary infrastructure improvements to enhance commercial development within the current zoned areas."

Councilor Van Asselt agreed with Councilor Needell that this was a good idea, but said it was not clear where to go from there. He said housing was the biggest industry in Town, but the Town was not in the housing business. He said working with UNH on housing was important, but said the Town didn't do that. He noted that the Economic Development Committee had recently been discussing this issue. He said to him, a goal should be to move the Town into the housing business with UNH.

Administrator Selig said he had been actively engaged with UNH in this area. He noted that when the University's Master Plan was being developed, the Town had strongly encouraged them to increase on-campus housing capacity to 70%, but the University had settled on 60%. He pointed out that the University was currently constructing on-campus housing. He also noted the perspective of landlords on the student housing issue.

He said a second area where the Town was addressing the student housing issue was in identifying places in Town where this housing was appropriate, and said a third area was in considering expansion of Town infrastructure, for example on Mast Road.

He said a fourth area to consider was the reluctance by some housing companies to come to Durham because it was not known as a town that embraced new development. He provided details on this.

Administrator Selig also noted that the University had not embraced the idea of public/private partnerships to develop student housing, and he provided some detail on this. He said the Town was working very hard on this issue, but said things moved slowly. He said another challenge was that about 3000 University students lived in surrounding towns. He said this meant that even as beds were freed up on Madbury Road, there would be still be infill from students currently living out of Town. He said a lot of student housing would have to be generated in order to provide the opportunity for workforce housing in Durham.

Councilor Peter Smith said the idea of Durham getting into the "housing business" was a phrase that meant something different for Durham than for most any other town in New Hampshire. He said it was meaningless unless focus was put on where the students were going to live.

He said he had gone to some of the University Master Plan meetings, and heard the University described as the quintessential New England residential university. But he said that ironically, the reality was that a growing number of people, including students connected to the University, did not live there.

He said providing more faculty housing would have a profound effect on how the Town worked with the University. He said if the University took its view of itself as a quintessential New England university seriously, it would mean providing many more beds on campus. He noted that this was the one thing it could do without running into conflict about the use of State moneys.

He said he didn't want the Town to have the goal of being a landlord. But he said if the Town pursued the goal of persuading the University to house more students on campus, this would have to be squared with what was currently Durham's largest private industry. He noted that there were a lot of people in Town who wanted to preserve the private housing industry, and said the Council had to consider this in addition to other aspects of the issue.

He said there should be a good deal of discussion on all of this in order to determine what the policies should be, recognizing that the Council didn't have any control over events other than negotiating power.

Chair Niman suggested that the Council shouldn't have this discussion that evening. He suggested that Housing should be a program goal, and said after a workshop on the issue, some action goals could be developed.

There was agreement that the Council should go through the various goals more quickly so they could hopefully complete the process that evening.

Administrator Selig suggested that the goal of "Maintaining the integrity of our neighborhoods" should be made into a work session, which could then flesh out exactly what the tasks should be.

Councilor Needell said a goal should be to develop a housing policy.

Councilor Leach suggested that if Councilors agreed with all of the work session topics, this meant they also agreed that they were goals, so that the Council would at least get them done this year.

Councilors agreed that all of the work sessions topics were important.

There was discussion about the idea of having a work session on Public Safety, with Councilor Carroll noting that it would be difficult to discuss all of the subcategories at the work session, so they would have to be prioritized.

Councilor Peter Smith said the Council needed to have a great deal of information to work with in order to have a profitable work session on the Public Safety issues. He also said the timing had to be right on this.

There was detailed discussion about how and when information would be provided to Councilors that was relevant to the work session topics.

Councilor Needell said most of the issues under the Public Safety heading were currently being evaluated by Town staff, and said he wasn't sure a Council work session was needed on them at present. He said he wanted the Council to be involved concerning these issues, but said he didn't think there needed to be a blanket discussion on them. He said the issue of the size of the Fire Department was different, and said it was worth brainstorming on.

Councilor Van Asselt said he still thought there were several objectives of a work session. He said the first was to provide education on topics the Council never got to explore in depth. He said a second objective was to see if any money was involved for a particular issue, and said the third objective was to set some priorities, and to determine how they should be addressed, as with more staff.

Administrator Selig described how he envisioned a work session on housing, and another on water, could be done.

Councilor Van Asselt said as a result of such a session, the Council would then have more knowledge when it needed to make decisions. He said he didn't care if there were no final

decisions coming out of a work session, and said their main purpose was to help the Council see where it was going on a particular issue.

Councilor Morong said they were essentially talking about going from the nebulous stage to development of an action plan. He said this process should be used to look at nurturing the Downtown, which generally was talked about in a nebulous way, and wound up getting shoved under the carpet.

Councilor Peter Smith said that every Council meeting, to him, was a work session. But he said the Council was in a chicken and egg situation, with the question being when the Council knew that it wanted to spend a concentrated amount of time on a particular issue. He said one way was as a result of the accretion of information.

He noted the issue of the merged police departments, which had been considered for about 15 years. He said a lot of information had been gathered on this issue, and said he was at the point of believing there was very good reason to pursue it, without knowing for sure how it would come out. He provided additional details on what was involved in considering this issue, but said at some point, the Council needed to reach a decision on it.

He noted that Administrator Selig played the most substantial role in this, in terms of knowing when enough information was available so the Council could have an intelligent discussion.

Councilor Needell said the Council was trying that evening to set up issues to have work sessions on. He said he was not sure that some of the things on the list were things the Council could take the lead on, but said the ones it was clear the Council could take the lead on were the ones it should now focus on.

Chair Niman said he would remove Public Safety as a work session topic, and would assume there would be ongoing activities concerning the issues under it. He also suggested there should be a work session that would address Downtown businesses, but which would also discuss this as part of a larger goal of a sense of community, and therefore would include cultural and parks and recreation considerations. He said the session would essentially look at how to make Durham a better place to live.

Councilor Morong said he wanted more focus on businesses, and said a work session could invite them, as well as members of the Durham Business Association, the landlords, and the Durham It's Where U Live organization. He suggested not making the topic of the work session too broad, and said it could possibly result in an action plan that would make the downtown more vibrant and friendly to residents and students.

It was agreed that "A More Vibrant Downtown" would be a work session topic, which meant there would be six work sessions.

Chair Niman asked if the Council needed to come to agreement on the general topics of the work sessions.



Councilor Peter Smith said the Library work session topic was different than the others, because of the State statute provisions dealing with the establishment of a library. He said he saw some roles for the Council, especially regarding the on-going operation of a library. But he said the purpose of a Library work session was to discuss the building of a library, and where it should go.

He said he didn't want to see the Council move ahead of the statutory body that was supposed to be in charge of those issues, the Library Board of Trustees, and said he wanted the Council to cooperate with the Board, as appropriate.

Chair Niman said he had put this on the list of possible work sessions because the Council in recent years had talked about where funding for a library would come from. He said it was on the list with the understanding that the Board of Trustees would come to the Council at some point with specifics on the library location and the funding that was needed. He said the work session was on the list based on the optimistic assumption that the site issue would be resolved within the next 4-5 months.

Councilor Peter Smith said he understood this, and said there were questions the Council must have a role in addressing. He said he believed what needed to come first was for the Trustees to come forth with explicit proposals regarding where the library would be located, and the raising of funds. He said he had tried to make clear his view that if the Trustees had in mind that the Town would write a check for the library, that was not a good idea. He said he was concerned about continually having to make respectful requests of the Trustees that they pursue and take concrete actions on the issue of fundraising and location.

Councilor Van Asselt said he agreed and disagreed with this. He said he thought the Council had to take the leadership on the siting and funding of the library, and said he didn't understand why the Council and the Board of Trustees couldn't get together and work on these issues. He said if that meant this was what the work session would involve, so be it, and said the important thing was to once and for all resolve this issues surrounding building a new library.

Councilor Needell said it was important to have a work session at which the Council and the Board of Trustees could go over these issues. He also said he would like to set the goal of putting a referendum on a new library before the voters on Election Day next year. He said this would have to be a bonded project, and said if the plan was not well thought out, it would fail at the ballot box. He said the work session was needed in order to decide if they could accomplish this.

Administrator Selig said based on the Council's goal the previous year of pursuing the library, he had been trying to play a more active role in guiding the Library Board of Trustees. He noted the Board currently had an independent consultant looking at the idea of a joint Library/Town Hall facility, and said the goal was to develop a plan.

He said in the very near future, it would be important to sit down with the Trustees to see where they were in the process, and said they would need some guidance at that point. He said this was therefore a timely topic for a work session.

Councilor Julian Smith asked Administrator Selig when he thought the consultant would be ready to make a recommendation to the Trustees and the Council about a joint facility.

Administrator Selig said he expected to see the report from the consultant in the next month, so further discussion on how to proceed would be needed within 2 months.

Chair Niman said the consensus then was to keep it on the list of work sessions. He said there was agreement on the six work sessions that would be held:

- Housing
- Budget
- Water/wastewater
- Library
- Transportation
- More Vibrant Downtown

He said that after taking a break, the Council would be discussing the Goal Statement.

#### **Break 8:25 to 8:30 pm**

Chair Niman said Councilor Van Asselt had suggested identifying concrete things that could be accomplished this year. He said the longer term program goals would be worked on at the work sessions, and said that perhaps action goals would come out of these sessions. He said the Council should now develop a list of some concrete things that it wanted to accomplish by the end of the year.

He noted the action item “Pursue land and easement purchases with conservation bond and land use change funds” that had been discussed earlier at the meeting.

Councilor Morong suggested that an action item was “Continue to vigorously enforce the Zoning Ordinance,” and other things that represented ongoing actions that should be taken.

Councilor Van Asselt suggested that “Enact Impact Fee schedule” was an action item. He also said “Generate income from Craig Supply/Depot Road project” was an action item

Councilor Needell asked if there was any Council action needed concerning the Depot Road project.

Administrator Selig said there was not. He said the project was being done this year, and noted there were a lot of Town resources involved with the project.

Councilor Leach suggested that “Identify a permanent site and Develop a funding plan for a new Library” might be action items.

Councilor Needell asked if it was a goal to have a referendum on the Library by next March.

Councilor Peter Smith asked for details on Councilor Needell's question. There was discussion about a possible referendum next year, and whether this was a realistic time frame. It was agreed the work session should include discussion on this aspect of the library issue.

Chair Niman asked if "Completing a review of whether there was unnecessary duplication of services in the Durham Fire Department/Durham Ambulance Corps relationship, and if so eliminating it" was an action goal.

After some discussion, Chair Niman said this was perhaps an ongoing goal that the Council would like to see progress on.

Councilor Morong said his thought concerning action goals was to include some things that were up and running, that the Council would want to keep an eye on, such as Zoning enforcement, revenue enhancement, discussions with the University, etc.

Chair Niman asked if the Council would have a consultant's report on a combined police department soon. Town Administrator Selig replied that the Town would have that report and said the goal of "Complete a review of the benefits and costs of a single police department" should therefore be made an action item.

There was discussion about the goal "Present a plan for Council action on whether or not to shift dispatch services to Strafford County".

Administrator Selig said this was not the Town's decision to make, and said he expected to see a proposal from UNH that addressed County's potential involvement in managing the facility. He said more data was needed concerning this.

Chair Niman said he would list this as an action item, and the Council could then see what happened.

There was discussion about the idea of generating better data with respect to Fire Department operations. Administrator Selig said it would take some time to collect this data, but said the process of generating data could at least begin.

Councilor Peter Smith asked if it was clear what he (Councilor Smith) had in mind in terms of the data to be generated, and Administrator Selig said it was.

Councilor Van Asselt said consideration of the role of the Council with regarding to whether the Council should be removed from being the final authority in making tax assessment decisions should be an action item.

Councilor Peter Smith said the action item should be for the Council to decide if it wished to do it this way, and to ask the Administrator to have appropriate legislation drafted by the Town Attorney.

Administrator Selig noted that the Local Government Center would be putting this issue on its list of policy issues to look at in more detail.

It was agreed this should be an action item.

There was discussion about the goal “Reach an agreement with respect to UNH’s business ventures that extend beyond the core mission of the University”, and whether it should be an action item.

Councilor Peter Smith said this goal should be reworded “Reach agreement with respect to the University either permitting, or pursuing activities which have potential financial cost to the Town which activities may be permitted or pursued on or off the campus.” He said there were several bases that needed to be covered here, and provided details on this.

Councilor Needell questioned who was being referred to in the goal “Reach an agreement...” and there was discussion about this.

Administrator Selig said the next topic he was planning to bring up with the University was the issue of entrepreneurial activity on campus. He provided details on this, and said the Whittemore Center would be part of this discussion. He also said policing was another issue to be pursued with the University.

Chair Niman said he would reword the “Reach an agreement...” goal.

Councilor Peter Smith noted the practice of businesses paying substantial amounts of money to the University, in part because the cost was less, for a function that was of great benefit to the particular business. He said more factual development was needed on this and other issues concerning University business ventures. He said it was more than the impact on downtown merchants that was involved, it was the impact on Town residents.

Councilor Van Asselt said it was time the Council made a decision on the Durham Business Park. He noted that the design guidelines were available.

Chair Niman said it was his hope that the Council would see something on the Business Park by May 1<sup>st</sup>.

Councilor Morong said it seemed that the Council needed a work session with the University on some of these issues, noting that kind of discussion didn’t often happen.

There was discussion about this. Chair Niman said he would discuss this idea with Administrator Selig and Councilor Carroll, and would report back to the Council on it.

Councilor Needell noted Administrator Selig’s effort to go to Concord to speak on Bill 1679, with the endorsement of the University. He said this was an extraordinary accomplishment, and was a huge step in a very positive direction.

Chair Niman said he agreed.

Councilor Van Asselt said he was convinced that one of the Council's action goals should be to develop third-party planning capacity to call on concerning a proposed development. He said this was important because the developments on the drawing board at present were beyond the ability of the planning staff to deal with, given time constraints, which meant that the process was heavily weighted on the side of developer. He noted that with the currently proposed Spruce Woods project, there were major questions regarding infrastructure costs, emergency medical response, etc.

Councilor Van Asselt said he was willing to take the lead on this idea, noting it wouldn't cost money, but would really help the Town.

Councilor Peter Smith asked what Administrator Selig's perspective was on the current planning capacity of the Planning Department.

Administrator Selig said planning staff was supplemented by third-party staff when the Planning Board felt this was appropriate, and provided details on this. He noted that with the Hotel NH development, the Board had asked for a business analysis as to whether the hotel would survive in Durham as a business venture.

He said the question was whether this should be done more often, but said this was more of an issue for the Planning Board. He said the Town planner looked hard at applications that came in, but he was in a difficult position. He provided details on this, and said Mr. Campbell's task was challenging.

Administrator Selig said he wondered if this was a public policy issue that the Council needed to talk about, on the broader issue that the Town might not be represented adequately at hearings. He noted that Councilor Peter Smith had brought up the issue of whether the ZBA was capable of representing the Town's position regarding applications, and that perhaps the Town needed legal representation as part of the process.

There was detailed discussion about this.

Councilor Needell said regarding the ZBA, it was a citizen board whose goal was to interpret the Zoning Ordinance. He noted that the previous year when the Town had a specific interest in a particular application, it obtained its own representation before the ZBA.

Councilor Peter Smith noted that the Council hadn't said that the Code enforcement officer could do more than answer questions posed at ZBA meetings, and to represent the Town's interest when there were disputes. He said that kind of representation didn't exist at ZBA meetings.

He said the situation with the Planning Board was somewhat different, and provided details on this. He also said the planner's statutory role was to assist customers with the application process, noting that this could be a very extensive role with some applications. He said one of the things that happened in this process was that the planner at some point could seem to be the servant of the applicant, and might not draw the line at the right place. He noted that in some situations, it would be difficult to know where that line was.

Councilor Smith also said an important issue was how busy the planner was, noting that the title of his department was actually Planning and Community Development.

There was discussion that the issue of separating the roles of planning and economic development needed to be talked about.

Councilor Van Asselt asked why 14 of 17 communities nearby had third-party planning capacity, while Durham did not. He said he agreed that the Planning Board had the authority to go ahead and do this, but said he didn't think this was exercised to the fullest extent possible. He said he didn't know if it would make any difference if there were a Town policy on this. But he said an increase in staff capacity was needed in order to deal with the potential impacts on the neighborhood of the Spruce Woods development.

Administrator Selig suggested that this should be made an action item and said someone from the Planning Board should be invited to talk to the Council about how the current process could be changed.

Councilors agreed this should be an action item.

Councilor Morong suggested that the Council could discuss the idea of separating planning and economic development as part of this action item.

Administrator Selig said he had received a proposal from Mr. Campbell on this idea, but said he had set it aside because it was too costly, involving another staff position.

Chair Niman said perhaps some funding could be reallocated for this.

Councilor Peter Smith said the ZBA issue was a substantially larger defect in this area.

Chair Niman said that would go on the action list as well.

Chair Niman noted the goal of "Development of a plan for increasing recreational opportunities." He said he had attended part of a recent Jackson's Landing committee meeting, and said they planned to present something to the Council in July. He asked if the Council wanted its response to their plan to be an action item.

Administrator Selig said he didn't see this as an action item for the Council. He said when the plan was ready, the Committee would present it to the Council, which would then provide feedback on it.

Councilor Niman noted Councilor Morong's suggestion of changing the Town Charter so that there would be seven instead of nine Council members. After some discussion, it was agreed this would be a good roundtable topic.

Councilor Van Asselt asked if the Council wanted to do anything regarding the goal of "Oyster River School District and Town Partnership."

There was detailed discussion on this, and on the difficulty of making progress in this area.

Chair Niman said the only issue that could change things was the apportionment formula, and noted the irony that the current formula was actually working to the detriment of the Town of Lee. He explained that it was creating the incentive to develop housing projects in Lee, so the Town now had to spend money in order to preserve land from development. He said there would be a critical point when the cost of increased services would make the Town see that it was in its best interest to change the apportionment formula. He said if other Councilors wanted to look at this issue, he would be willing to do so as well.

Councilor Peter Smith said of all the things on the list of goals, this was the one that would be the greatest waste of time for the Council to discuss. He said the Council had already discussed it in some detail, and realized that ultimately, it had no control over the situation because of the way taxes were raised. He said until this changed, the problem wouldn't be solved.

There was additional discussion about this.

Councilor Van Asselt asked if the Council wanted to do anything this year regarding the elderly tax exemption, and asked specifically if the Town was doing enough concerning this exemption.

Administrator Selig said the income and asset thresholds should be looked at, but said he didn't recommend anything else. He also said this issue could possibly be folded into the larger issue of elderly housing. He said encouragement of a significant exemption was one way to make elderly housing in Durham more affordable.

Chair Niman asked if Councilors had identified all of the action items.

Councilor Carroll noted a possible action item under the Water sub-goal: "Determine whether Town funding should be spent to develop future water needs."

There was discussion about the "Operational Efficiency" goal and sub-goals, and whether any action items could currently be pulled out of this.

Councilor Van Asselt said the work session on the Budget could get at some of these sub-goals, and said he expected this session would occur before October.

Chair Niman said his thought was that the Budget work session would provide the opportunity to talk about these things, and said he hoped action items would come out of this. He said he did want to talk about priorities as part of this process.

He said that the Council seemed to be driven by decisions that had been made in the past about things like the size of the Police and Fire departments, which had resulted in the fact that they couldn't do anything else because there was no money, and taxes were too high. He said the Council needed to talk about whether funds should perhaps be reallocated, in order to create a greater level of social welfare in Town.

Councilor Peter Smith noted that the Budget process would get fouled up if that discussion didn't take place early enough in the year.

Administrator Selig said he would be sure to schedule the Budget work session at a time that made sense, and Chair Niman agreed this would be one of the early sessions.

Councilor Van Asselt asked Administrator Selig if he thought the Council was being unrealistic with this list of action items.

Administrator Selig said it might be better if the Council had 4-5 action items to go after. But he said this was not to say that they would lose track of the other items.

There was discussion as to whether Councilor Julian Smith's suggestion concerning the question of whether to build or repair the Town Hall was an action item. It was agreed it was not, and that the Council would get a report on this issue soon.

Councilor Needell noted the issue of possible support from the State for the Town's support of UNH.

Councilor Van Asselt said this would be a huge undertaking. He said he didn't think it should be an action item, but should be discussed by the Council during the Budget season.

Chair Niman listed the action items, and there was further discussion on them.

Councilor Needell said he was not sure that the Police Department merger idea and the dispatch issue were issues that were being driven by the Council and were therefore Council goals. He said they were things coming forward that were of interest to the Council.

Administrator Selig said the reason they were being focused on by the Town was that they were on the Council's goal sheet. There was further discussion on this.

Councilor Van Asselt said the sub-goal under Operational efficiency of completing a review of the Durham Fire Department was a huge undertaking.

Councilor Peter Smith said a reason he thought it was important to get to work on this was that data would need to be collected for a period of time. He said he didn't think it would be that difficult to collect the data that was needed, and said it had the potential of showing something very important. He said if it was not possible to accomplish this now, the Council should find this out.

Councilor Van Asselt said he had confidence that Administrator Selig would take the action items the Council had identified, and decide which five were the most important.

There was discussion as to whether the Council should prioritize these action items in some way.



Chair Niman agreed with Councilor Peter Smith's statement that the Fire Department data was needed. He noted that the Town now had a full time MIS programmer and an appropriate software package, and said he would therefore hate to see the Council rank this action item as #10 in priority. He said he was therefore reluctant to prioritize the action items and therefore wind up taking some things out.

Administrator Selig asked what should be done with the other 30-31 items that were not put on the action list.

Chair Niman summarized that the Council had agreed to hold six work sessions on six different topics, with program and action items to emerge from each of them. He said the Council had also identified 10 things it would like to see progress made on or resolved.

Councilor Peter Smith suggested that Administrator Selig should look at these other 30-31 items, see which of them fit in any of the work session categories, and then give the Council back the rest of these items. He said the Council should then have a bit of a discussion on where it stood on them, and if it still had an interest in them.

Administrator Selig asked if the Council wanted to continue to have the Core Purpose, Values and Action Statements.

Councilor Van Asselt said he thought the Council should update last year's Goals document, and include due dates.

Councilor Leach said she didn't think the Core Purpose, Values and Action Statements were needed. She also said the Work Areas could include action goals. She said it was realized not all of these action goals would be implemented, but said the Council should at least try to get some of them done. She said it was disconcerting that a lot of the items on the Goals list were carried over from last year and the year before.

Councilor Peter Smith said there was a history to the Core Purpose and Core Values statements, and provided some details on this. He said he didn't want to disrespect the fact that a lot of thought went into developing them, and said they were still quite valuable.

Councilor Leach provided details on why she didn't think the statements were still necessary. There was additional discussion on this, and whether the Core purpose and Core values statements should remain in the Goals document.

Chair Niman said if the Core purpose statement was adopted, this meant there was carte blanche to provide "a high quality level of ongoing municipal services." He said he didn't necessarily agree with the priorities reflected in the Budget, and the ways Town departments carried out tasks. He said he hoped this would be discussed in the Budget work session.

He said he though the Town sometimes provided more services than what a municipality should provide, and said he would prefer to save some of the money for these services, or instead spend it on something else that he cared about.

Councilor Needell said they were trying to restructure the Core Purpose statement of the Council with this discussion, and said perhaps it was time to revisit this statement, if Councilors were not of the same mind on it.

Councilor Morong said it sounded like the Council needed to redefine what “high quality level of ongoing municipal services” was.

Councilor Peter Smith said there was a movement in the country for towns to provide fewer and fewer municipal services. He provided details on this, and said the Council needed to decide if the Town could do with less in the way with municipal services. But he said he didn’t want to throw the baby out with the bathwater, when what was needed was just to adjust the temperature of the water.

Chair Niman said he hoped the Council could discuss this broad issue at the budget work session. He said he was concerned that the Town Administrator interpreted the Core Purpose statement as meaning whatever services were provided the previous year, plus an additional 5%.

Administrator Selig said he never did that, and looked at ways to be more efficient, reallocating funds again and again. He said the problem was that when the Council asked for cuts, he came up with specific recommendations, but then the Council couldn’t decide where to make them, and to reach consensus on doing this.

He said the nature of Durham’s form of government put the Town Administrator at odds during the Budget process, although in a productive way. He said that was the role he had to play during that process, but said outside of that structured role, they were all on the same team. He said it was important to remember this when they sat down for the Budget work session. He said these were hard choices, and said whatever the Council did, it would offend someone. He said the Core Purpose and Core Values statements reflected what they all brought to the process.

Councilor Leach asked why these statements were on the yearly Council goal setting statement.

Administrator Selig said this said came out of a time when there was a lot of tension on the Council. He said the Town was trying to work through this in 2001-2002, and also wanted to provide more direction for staff. He said it was helpful to reinforce these statements every year.

Councilor Van Asselt suggested that instead of the current format, the Goal Statement should be a three part goal plan for the year: a Council Action plan, Council program goals, and a work session plan. He said this became the Council work plan, and gave direction in terms of priority.

Chair Niman said the Council should keep the Core Purpose, Values and Goal Statement. He said this Goals document should incorporate the ten action items the Council was working on, and the six work session topics. He said the Goal document should be thought of as a

living document, and as a result each work session, program goals would be fleshed out, and action goals might be developed that could be incorporated into the document. He said action items could be taken off the statement as they were completed. He said after all the work sessions were completed within the next six months, all of the program goals would have been established, and would be reflected in the Goals document.

There was discussion on the specific format for the Goals document.

Councilor Van Asselt said he was fine with this format, but said they needed to be sure they wouldn't lose topics like Public Safety, which there would not be a work session on.

Chair Niman said he would make sure they wouldn't lose Public Safety and other issues for which there was no work session.

Councilor Peter Smith said he was fine with not scheduling a work session on Public Safety. But he said it was as important a goal as the Town had right now.

Chair Niman said there was still recognition of it in the Goals document, and said he hoped that what came of the Budget discussion was more action items on Public safety issues.

Councilor Needell noted that Revenue Enhancement was another important goal that the Council didn't want to lose sight of.

Administrator Selig said he, Chair Niman, and Councilor Carroll would need to get together to come up with a document that reflected all of this.

***Councilor Leach MOVED to adjourn the meeting. The motion was SECONDED by Councilor Peter Smith, and PASSED unanimously 8-0.***

The meeting ***ADJOURNED*** at 10:03 PM.

Victoria Parmele, Minute Taker